

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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KIMMA ROCK, as Executrix of the Estate of  
Isabel Shick, on behalf of herself and all others  
similarly situated,

*Plaintiffs,*

-vs-

GREENSPOON MARDER, LLP; and JOHN  
DOES 1-25,

*Defendants.*

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Civil Case No.: 2:20-cv-03522 JVM-JBC

**CERTIFICATION OF JOSEPH K. JONES, ESQ., IN SUPPORT OF CLASS  
COUNSEL'S FEE APPLICATION**

I, Joseph K. Jones, Esq., of full age, by way of Certification in lieu of Affidavit, states:

1. I am an attorney at law of the State of New Jersey and the managing partner of Jones, Wolf & Kapasi, LLC, located at 375 Passaic Avenue, Suite 100, Fairfield, New Jersey, and I am personally familiar with the facts as set forth fully herein.

2. I, along with Benjamin J. Wolf, Esq., am Class Counsel for the putative class and I make this certification in support of the application for reasonable attorneys' fees and costs for Class Counsel, as part of the class action settlement in this matter. Class Counsel and Defendant have been able resolve the issues of fees and costs. I have personal knowledge of the facts stated herein.

3. Class Counsel is also entitled to an award of reasonable attorneys' fees and costs pursuant to 15 U.S.C. § 1692k(a)(3). The provision of the Class Action Settlement regarding attorneys' fees is Section 10(e).

**Relief to Plaintiff and Settlement Class**

Subject to the Court's approval, Defendant agrees to pay Class Counsel \$30,000.00 as reasonable attorneys' fees and costs incurred in the prosecution of a "successful action" under 15 U.S.C. § 1692k. The award of fees, costs, and expenses to Class Counsel shall be in addition to and shall not in any way reduce the settlement amounts to be provided to the Settlement Class Members.

4. I make this certification in support of the application for final approval of the class action settlement to be filed by Defendant's and class counsels' application for attorneys' fee and costs.

5. I am experienced in handling complex litigation such as this, and I have been Plaintiff's counsel in over five hundred (500) Fair Debt Collection Practices Act cases in the State of New Jersey and the State of New York. Mr. Wolf has been Plaintiff's Counsel in over one hundred fifty (150) FDCPA cases in the State of New York and New Jersey.

I have been appointed class counsel in:

- a. *Salter et al., v. Alliance One Receivable Management, Inc.*, Civil Case No.: 2:09-cv-02775 SCR-MAS;
- b. *Smith, et al., v. Lyons, Doughty & Veldhuis, P.C.* Civil Case No.: 1:07-cv-05139 JHR-KMW;
- c. *Meekins, et al., v. NCO Financial Systems, Inc.*, Civil Case No.: 2:08-cv-01936 JAC-MCA;
- d. *Smith et al., v. Heritage Financial Recovery Services*, Civil Case No.: 2:10-cv-03922 SDW-MCA;
- e. *Ardino, et al v. Lyons, Doughty & Veldhuis, P.C.*; Civil Case No. 1:11-cv-848 NLH-KMW;
- f. *Wilson v. Mattleman, Weinroth & Miller, P.C.*, Civil Case No.: 1:13-cv-000237 KMW;
- g. *Zborowski v. McCarthy & Jennerich, P.C.*, Civil Case No.: 2:12-cv-3628 CCC-MF;

- h. *Gregory v. McCabe, Weisberg & Conway, P.C.*, Civil Case No.: 13-cv-06962 JBS-AMD;
- i. *Akoundi v. Angell, Blitzter, Esqs.*, Civil Case No.: 1:13-cv-8769 GHW.
- j. *Stokes v AAMCO*, Docket No.: ESX-L3637-13.
- k. *Jackson v. RMB, Inc.*, Civil Case No.: 2:14-cv-02205 MF;
- l. *Caprio v. Apex Asset Management, LLC*, Civil Case No.: 2:13-cv-05069, KMW;
- m. *Ardino v. Solomon and Solomon, P.C.*, Civil Case No.: 2:13-cv-1821 SCM;
- n. *Mazzucco v. Certified Credit & Collection*, Civil Case No.: 3:13-cv-07422 TJB;
- o. *Riccio v. Debt Recovery Solutions, LLC*, Civil Case No.: 3:14-cv-06695-JAP-DEA;
- p. *Ubaldi v. Alliance One Receivables Management, Inc.*, Civil Case No.: 2:14-cv-06898 SRC-CLW;
- q. *Khanna v. Richard Sokoloff, Esq.*, Civil Case No.: 2:15-cv-06814 JAD;
- r. *Bowman v. Thomas King & Associates*, Civil Case No.: 1:15-cv-06532 JHR-AMD;
- s. *Griffin v. M.L. Zager, P.C.*, Civil Case No.: 2:16-cv-012324 ES MAH;
- t. *Carroll v. J.C. Christensen & Associates, Inc.*, Civil Case No. 3:15-cv- 06403 BRM TJB;
- u. *O'Brien v. Portfolio Recovery Associates, LLC*, Civil Case No.: 2:16-cv-04634;
- v. *Carney v. Russell Goldman, PC*, Civil Case No.: 3:15-cv-00260 BRM- DEA;
- w. *McCarthy v Equinox*, Docket No.: UNN-L-0789-15;
- x. *Griffin v Andrea Visgilio-McGrath, LLC*, Civil Case No. 3:15-cv-00260;
- y. *Sanders v Professional Medical Management, Inc d/b/a Financial Recoveries*, Civil Case No.: 2:16-cv-0563;
- z. *Ubaldi v Newport Beach Law Group, APLC et al.*, Civil Case No. 2:18-cv-02304 (CLW);
- aa. *Morello v PRA*, Civil Case No.: 3:18-cv-03742 (TJB); and
- bb. *Johnson v Activate Financial, LLC Civil Case No.: 1:19-cv-03359*
- cc. *Mancheno v Russell P. Goldman*, 3:19-cv-06646-ZNQ  
*DiPetrillo v Russell P. Goldman*, 3:19-cv-10554-ZNQ
- dd. *Ortiz v Barry I. Siegel et al*, 2:18-cv-14959 (MF);
- ee. *Cuellar v Griffin Alexander, PC*, 2:19-cv-20529 (ESK).

Mr. Wolf has been appointed class counsel in:

- a. *Grubb v Green Tree Servicing*, 3:13-cv-07421 FLW-TJB;
- b. *Carney v Russell P. Goldman*, 3:15-cv-00260 BRM-DEA;
- c. *McCarthy v Equinox*, UNN-L-0789-15;
- d. *Stokes v AAMCO*, ESX-L3637-13.
- e. *Morello v PRA*, Civil Case No.: 3:18-cv-03742 (TJB)
- f. *Ortiz v Barry I. Siegel et al*, 2:18-cv-14959 (MF);
- g. *Cuellar v Griffin Alexander, PC*, 2:19-cv-20529 (ESK).

6. My current hourly rate is \$575.00, and

7. Mr. Wolf's current hourly rate is \$475.00.

8. A significant portion of our practice is concentrated in the area of Consumer Protection Law involving matters the Fair Debt Collection Practices Act, Fair Credit Reporting Act, and the New Jersey Consumer Fraud Act.

9. We were intimately involved in the settlement negotiations in this matter. This settlement is the result of extensive arms-length negotiations between the parties. The named Plaintiff was involved in and participated in the settlement discussion through their counsel.

10. The task undertaken by Class Counsel to reach the successful resolution of this case is set forth in the schedule of time expended annexed hereto as Exhibit A.

11. The hourly rate of Class Counsel is the actual hourly rates charged by counsel in complex and contingent litigation. The hourly rate is consistent with the rates charged by other attorneys of similar experience and qualifications in this geographical area.

12. To date, we have not received any payment towards my attorneys' fees and costs for legal services rendered in this matter nor have any arrangements been made for the payment of our attorneys' fees and costs in the future other than by way of this settlement.

13. This matter was taken upon a complete contingency fee arrangement with Plaintiff. The law firm, therefore, took the substantial risk of not being paid at all if the case was unsuccessful. By taking on this case, Class Counsel was also prevented from doing other work, which it could have been paid during my involvement in this case. Accordingly, Class Counsel is also entitled to a contingency fee enhancement of the lodestar.

14. We have been personally involved in this matter, including the drafting, reviewing and editing of briefs, legal research and all other aspect of the litigation.

15. My firm has devoted all resources necessary to litigate this case to date and will continue to commit the time and resources necessary until the case is finally resolved.

16. The lodestar and expenses for Class Counsel here is \$38,099.03 reflecting 69.11 hours of attorneys' time plus costs of \$485.00, See Exhibit A.

17. For the purpose of this settlement only, Class Counsel has agreed to cap attorneys' fees and costs at \$30,000.00, which Defendant has agreed not to oppose

I certify that the foregoing statements are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: October 29, 2021

/s/ Joseph K. Jones

Joseph K. Jones, Esq.  
JONES, WOLF & KAPASI, LLC  
375 Passaic Avenue, Suite 100  
Fairfield, New Jersey 07004  
(973) 227-5900 telephone  
(973) 244-0019 facsimile

*Attorneys for Plaintiffs*

# Exhibit

# A

**JONES, WOLF & KAPASI, LLC**

One Grand Central Place  
 60 East 42nd. Street, 46th. Floor  
 New York, NY 10165  
 (646) 459-7971

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Rock v. Greenspoon Marder, LLP  
 2:20-cv-3522

October 25, 2021

## Professional Services

|               |   | <u>Hrs/Rate</u>   | <u>Amount</u> |
|---------------|---|-------------------|---------------|
| 3/31/2020 JKJ | Draft Complaint   | 6.00<br>575.00/hr | 3,450.00      |
| 4/10/2020 JKJ | Review Affidavit of Service and file via ECF                                | 0.30<br>575.00/hr | 172.50        |
| 4/28/2020 JKJ | Telephone call with opposing counsel  | 0.20<br>575.00/hr | 115.00        |
| 5/12/2020 BW  | Draft---response to OJ  | 0.30<br>475.00/hr | 142.50        |
| 6/15/2020 BW  | File Review--mtn to dismiss amended complaint                               | 0.40<br>475.00/hr | 190.00        |
| BW            | Draft---clerk's extension letter re mtn to amend complaint                  | 0.20<br>475.00/hr | 95.00         |
| 6/17/2020 JKJ | Legal Research - review cases cited by opposing counsel - motion to dismiss | 2.50<br>575.00/hr | 1,437.50      |
| 6/18/2020 BW  | Legal Research--D mtn to dismiss amended complaint cases                    | 1.28<br>475.00/hr | 606.81        |
| BW            | Draft--opp to mtn to dismiss amended complaint                              | 2.16<br>475.00/hr | 1,023.63      |
| JKJ           | Draft - out line issues for opposition to motion to dismiss                 | 1.25<br>575.00/hr | 718.75        |
| JKJ           | Draft motion to dismiss   | 3.10<br>575.00/hr | 1,782.50      |

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|           |  | <u>Hrs/Rate</u>   | <u>Amount</u> |
|-----------|--|-------------------|---------------|
| 6/19/2020 | BW Draft--opp to mtn to dismiss  | 3.00<br>475.00/hr | 1,425.00      |
| 6/20/2020 | JKJ Draft - opposition to motion to dismiss  | 7.50<br>575.00/hr | 4,312.50      |
| 6/22/2020 | BW Draft--opp to mtn to dismiss  | 1.30<br>475.00/hr | 617.50        |
|           | JKJ continue drafting opposition to motion to dismiss  | 3.00<br>575.00/hr | 1,725.00      |
| 7/14/2020 | BW File Review--reply to mtn to dismiss, new docs, Trichell 11th cir case  | 0.60<br>475.00/hr | 285.00        |
|           | JKJ Review and markup Reply brief filed by defendant   | 1.25<br>575.00/hr | 718.75        |
|           | BW Draft--request for sur reply re mtn to dismiss  | 0.30<br>475.00/hr | 142.50        |
| 7/28/2020 | BW Draft---sur reply re mtn to dismiss including legal research of trachell case and paying debt post receiving debt collection letter | 2.30<br>475.00/hr | 1,091.71      |
| 7/29/2020 | BW Draft---sur reply re mtn to dismiss, 3rd Cir. cases to oppose Trichell  | 0.66<br>475.00/hr | 313.63        |
| 1/26/2021 | JKJ Review and mark up opinion re: motion to dismiss   | 0.75<br>575.00/hr | 431.25        |
| 1/27/2021 | BW File Review---opinion and order partially denying motion to dismiss   | 0.40<br>475.00/hr | 190.00        |
|           | JKJ Telephone call with opposing counsel   | 0.30<br>575.00/hr | 172.50        |
| 1/28/2021 | BW Draft--ltr to court that P not amending the complaint   | 0.30<br>475.00/hr | 142.50        |
| 1/29/2021 | BW Draft--Rule 26 disclosures/ESI notice   | 0.40<br>475.00/hr | 190.00        |
| 2/3/2021  | BW Draft--P's first amended Rule 26 disclosures  | 0.10<br>475.00/hr | 47.50         |
| 2/5/2021  | JKJ Telephone call with opposing counsel   | 0.30<br>575.00/hr | 172.50        |



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|           |     |   | <u>Hrs/Rate</u>   | <u>Amount</u> |
|-----------|-----|---|-------------------|---------------|
| 2/8/2021  | JKJ | Draft proposed terms for class settlement and send to opposing counsel  | 0.30<br>575.00/hr | 172.50        |
|           | JKJ | review and respond to email from opposing counsel.  | 0.10<br>575.00/hr | 57.50         |
| 2/22/2021 | JKJ | Telephone call with opposing counsel - settlement discussions   | 0.30<br>575.00/hr | 172.50        |
|           | JKJ | Draft letter to court re: class settlement  | 0.20<br>575.00/hr | 115.00        |
| 2/24/2021 | JKJ | Draft - Consent to Magistrate jurisdiction  | 0.30<br>575.00/hr | 172.50        |
| 3/5/2021  | JKJ | Telephone call with opposing counsel re: discussed process for preliminary approval of class settlement   | 0.20<br>575.00/hr | 115.00        |
|           | JKJ | Telephone call with opposing counsel re: discussed process for preliminary approval of class settlement   | 0.20<br>575.00/hr | 115.00        |
|           | JKJ | Telephone call with opposing counsel re: discussed issues as to filing for preliminary approval of class settlement   | 0.20<br>575.00/hr | 115.00        |
|           | JKJ | email to Simpluris, Inc., - class administrator for price quote.  | 0.20<br>575.00/hr | 115.00        |
| 3/12/2021 | JKJ | Draft discovery demands   | 3.00<br>575.00/hr | 1,725.00      |
| 3/15/2021 | JKJ | Draft - proposed settlement agreement   | 3.25<br>575.00/hr | 1,868.75      |
| 3/31/2021 | JKJ | Review edits by opposing to the Class Settlement Agreement  | 0.50<br>575.00/hr | 287.50        |
|           | JKJ | Telephone call with opposing counsel  | 0.20<br>575.00/hr | 115.00        |
| 4/12/2021 | JKJ | Draft: Notice of Motion for Preliminary Approval of Class Settlement, Proposed Preliminary Approval Order; Proposed Final Approval Order, Class Notice; Memorandum of Law; Certification of JKJ in support. | 8.00<br>575.00/hr | 4,600.00      |
| 4/26/2021 | JKJ | Status conference with Magistrate Judge Clark   | 0.20<br>575.00/hr | 115.00        |
| 5/6/2021  | JKJ | Telephone call with opposing counsel  | 0.10<br>575.00/hr | 57.50         |

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|   |            |  | <u>Hrs/Rate</u>   | <u>Amount</u>      |
|---|------------|--|-------------------|--------------------|
| 5/7/2021                                  | JKJ        | Telephone call with opposing counsel re: discuss issues on preliminary settlement docs         | 0.20<br>575.00/hr | 115.00             |
| 5/18/2021                                 | JKJ        | Draft final revision to motion for preliminary approval; convert to PDF; and file vis ECF      | 1.10<br>575.00/hr | 632.50             |
| 6/28/2021                                 | BW         | File Review--prep for preliminary approval hearing   | 0.40<br>475.00/hr | 190.00             |
| 6/29/2021                                 | BW         | Court Appearance--preliminary approval hearing (adjourned after starting), D needs to file PHV | 0.40<br>475.00/hr | 190.00             |
| 8/3/2021                                  | BW         | Telephone call with opposing counsel-- re class action admin contact                           | 0.20<br>475.00/hr | 95.00              |
| 10/21/2021                                | BW         | Draft Memorandum of Law in support of final approval of class settlement                       | 4.25<br>475.00/hr | 2,018.75           |
|   | JKJ        | Draft Certification in support of final approval   | 0.75<br>575.00/hr | 431.25             |
| 10/22/2021                                | JKJ        | Draft Memorandum of Law - attorney's fees  | 1.50<br>575.00/hr | 862.50             |
|   | JKJ        | Draft Certification in Support of application for attorney's fees                              | 0.66<br>575.00/hr | 379.50             |
| 10/25/2021                                | BW         | Estimate - Preparation for final approval hearing  | 0.75<br>475.00/hr | 356.25             |
|   | BW         | Estimate - Court Appearance for Hearing - final approval of class settlement                   | 0.50<br>475.00/hr | 237.50             |
|   | BW         | Estimate - post settlement and funding issues  | 1.00<br>475.00/hr | 475.00             |
| <b>For professional services rendered</b> |            |  | <b>69.11</b>      | <b>\$37,614.03</b> |
| Additional Charges :                      |            |  |                   |                    |
| 4/1/2020                                  | Filing Fee |  |                   | 400.00             |
| 4/10/2020                                 | POS Fee    |  |                   | 85.00              |
| <b>Total additional charges</b>           |            |  |                   | <b>\$485.00</b>    |
| <b>Total amount of this bill</b>          |            |  |                   | <b>\$38,099.03</b> |

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|             | <u>Amount</u>      |
|-------------|--------------------|
| Balance due | <u>\$38,099.03</u> |